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LETTER DATED 12 FEBRUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Republic of Croatia appreciates the noble and valiant work of the United Nations Security Council and Secretary-General in their efforts to find a durable solution to the crisis on the territory of former Yugoslavia. In this regard the Croatian Government is ready to fully cooperate with the United Nations, looking forward to the peaceful settlement and the end of hostilities in Croatia and Bosnia-Herzegovina. However, concerning the UNPROFOR operation inside Croatia, we must underline that the Republic of Croatia is entering this process as a sovereign Member State of the United Nations and is reserving the right to decide by itself whether to accept further presence of the UNPROFOR troops on its territory.

Croatia welcomes the Secretary-General's proposal that the existing UNPROFOR mandate be prolonged for an interim period up to 31 March 1993, as inscribed in the document S/25264. That will provide sufficient time for substantial negotiations about the extension and definition of the UNPROFOR mandate. We would like once again to stress the importance of taking decisive measures aimed at enforcement of the Security Council resolutions and Vance plan. So far, experience with the UNPROFOR operation in Croatia has proved that the strategic goals of the Vance plan cannot be achieved without a more determined policy of the world community.

We are proposing that an additional period up to 31 March 1993 be used for the talks with the representatives of Serbian population in UNPAs - within the framework of the Conference on the Former Yugoslavia in Geneva - in which they should be convinced to accept the guarantees given to them by the Republic of Croatia with regard to their human, ethnic and special minority rights granted to them by the Croatian Constitution and special Constitutional Law on Human Rights and Freedoms and the Rights of National and Ethnic Communities of Minorities in the Republic of Croatia (passed on 8 May 1992), and Amnesty Law on Criminal Offences Committed During Armed Conflicts and War against the Republic of Croatia (passed on 25 September 1992). These Laws were passed by the Croatian Parliament especially in order to alleviate possible concerns of the Serbian population with regard to their status, and was positively evaluated by the experts of the European Community.

Croatia is supporting the work of the Co-Chairmen of the Steering Committee of the Conference on Former Yugoslavia, and is inviting them to help in these talks. Croatia will welcome the positive outcome of these talks, and is expecting that the United Nations will use all its influence to ensure the full implementation of the reached settlement.

The Croatian Government is prepared to prolong the UNPROFOR mandate, but we must condition our final decision with the necessary substantive changes in the approach and operational framework of the existing UNPROFOR action. It is the firm position of the Croatian Government that the new mandate of the United Nations operation on the territory of the Republic of Croatia should be based on the essential principles of an active peacemaking operation. The future UNPROFOR activities should create the basic conditions for promoting the post-war confidence-building process, based on minority and human rights protection, full respect for the civil state and its laws, and gradual restoration of the governmental authority of the Republic of Croatia on all its territory.

Croatia is emphasizing the importance of fulfilling several fundamental elements on which prolongation of the UNPROFOR mandate in the Republic of Croatia must be based. We strongly believe that the implementation of these steps must be defined by a specific time-table and deadlines:

1. The complete and immediate disarmament of all paramilitary forces and "militia" in UNPAs and "pink zones" and destroying of their heavy weapons, or putting it under strict and effective United Nations control, as a prerequisite for the full demilitarization of UNPAs and the establishment of local police forces in accordance with the general principles of the Vance plan.

This action will create a new political environment which will enable people living in these areas to get rid of the war-lords and other extremists and start the post-war confidence-building process which will establish a non-violent coexistence amongst the people living there. This is also an essential step that will prevent the intended "unification" of the territories occupied by Serbian rebels in Croatia and Bosnia-Herzegovina;

2. Voluntary and unconditional return of all the refugees and displaced persons to their homes in the UNPAs, what is of utmost importance as a crucial step in reversing the "ethnic cleansing" process;

3. Full implementation of Security Council resolution 769 (1992), which imposes tight control by UNPROFOR forces of the certain border areas in Croatia where the boundaries of the UNPAs coincide with internationally recognized frontiers of the Republic of Croatia;

4. Endorsement of the Security Council for the immediate beginning of the process of restoring Croatian authority in the so-called "pink zones". The full reintegration of these areas into the political, social, economic, fiscal, transportational and judicial system of the Republic of Croatia should

be achieved through peaceful means and in a manner that completely correspond with the United Nations and CSCE standards. Croatia plans to maintain peace and order in the "pink zone" only with its police forces.

We consider as the most important step to strengthen the peace process on the territory of the Republic of Croatia the urgent start of an action that will result with the complete demilitarization of the UNPAs. The Croatian army will stay outside the "pink zone" area, and is ready to - as a good-will gesture - withdraw its forces up to 10 kilometres from the present UNPA borders. In response, Croatia expects the armed forces of the Federal Republic of Yugoslavia (Serbia and Montenegro) to withdraw 10 kilometres from the Danube river and other parts of the Croatian border with FRY (Serbia and Montenegro).

I would kindly request that you have this letter circulated as a document of the Security Council.

(Signed) Mario NOBILO
Permanent Representative of the
Republic of Croatia
to the United Nations